

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

AUTUMN RIDLER,	)	
	)	<b>CASE NO. 5:21-CV-00776</b>
Plaintiff,	)	
	)	
v.	)	<b>NOTICE OF REMOVAL</b>
	)	
JO-ANN STORES, LLC,	)	
	)	
Defendant.	)	

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Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Jo-Ann Stores, LLC (“Defendant”), through the undersigned counsel, hereby files its Notice of Removal to this Court from the Summit County Court of Common Pleas Case No. CV-2021-03-0759. In support of its Notice of Removal, Defendant states as follows:

1. On or about March 10, 2021, Plaintiff Autumn Ridler (“Plaintiff”) commenced an action against Defendant in the Court of Common Pleas for Summit County, Ohio, titled *Autumn Ridler v. Jo-Ann Stores LLC*, Case No. CV-2021-03-0759, by filing a Complaint alleging discrimination and interference under the Family and Medical Leave Act, 29 U.S.C. § 2615, and disability discrimination under Ohio Rev. Code § 4112.02(A)(2) (the “State Action”). (Complaint, Sections V and VI.)

2. On or about March 16, 2021, Defendant was served with the Summons and a copy of the Complaint. True and accurate copies of the Summons and Complaint are attached as

Exhibit A, as required by 28 U.S.C. § 1446(a). No other process, pleadings, or orders, other than the Summons and Complaint attached as Exhibit A have been served in this action.

3. Without admitting that the Complaint states any claim for relief, which Defendant denies, in Section V of the Complaint, Plaintiff alleges a claim under federal law, specifically, alleged discrimination and interference under the Family and Medical Leave Act, 29 U.S.C. § 2615, *et. seq.*

4. Accordingly, Defendant is entitled to remove this action to this Court under 28 U.S.C. § 1441 because this Court has original jurisdiction pursuant to 28 U.S.C. § 1331 as the claim asserted in Section V of Plaintiff's Complaint arises under the laws of the United States. Supplemental jurisdiction also exists over the other claim asserted under 28 U.S.C. § 1367.

5. Nothing in this Notice of Removal should be construed as an admission or acknowledgement of liability, a waiver of any defenses, or that Plaintiff is entitled to any damages.

6. In accordance with 28 U.S.C. § 1446(b), this Notice of Removal is being filed within thirty (30) days of service of the Summons and Complaint upon Defendant.

7. Concurrent with the filing of this Notice of Removal, written notice of the filing of the Notice of Removal is being sent to counsel for Plaintiff, as required by 28 U.S.C. §1446(d).

8. A true and accurate copy of this Notice of Removal is also being filed with the Clerk of Court for the Court of Common Pleas for Summit County, Ohio, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant respectfully requests that the action pending against it in the Court of Common Pleas for Summit County, Ohio be removed therefrom to this Court.

Respectfully submitted,

/s/ Ellen Toth

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*Attorneys for Defendant Jo-Ann Stores, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 13, 2021 a copy of the foregoing *Notice of Removal* was electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties, including the following counsel of record, may access this filing through the Court's system:

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Attorney for Plaintiff

*Counsel for Plaintiff*

/s/ Ellen Toth  
*One of the Attorneys for Defendant Jo-Ann Stores,*  
*LLC*

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